

**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED**  
DOC #:  
DATE FILED: 10-10-07

SANJ, S.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MOUNTIKO MARINE CO. LTD.,

Plaintiff,

v.

PEAK STAR TRADING CO. LLC, PAWAN,  
JAIN & SONS and SOCIETE PRAGATI S.A.R.L.,  
a/k/a PRAGATI INTERNATIONAL,

Defendants.

No. 07 CV 3334

**STIPULATION AND ORDER**

WHEREAS, on or around April 26, 2007, pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims, plaintiff Mountiko Marine Co. Ltd. ("Mountiko") obtained a writ of attachment against defendants Peak Star Trading Co. LLC, Pawan Jain & Sons, and Societe Pragati S.A.R.L.;

WHEREAS, on or around May 8, 2007, Deutsche Bank pursuant to the writ of attachment restrained a \$110,000 wire transfer going to Space Star General Trading LLC ("Space Star") (the "Wire Transfer"), who was named a paying or funding agent in the Verified Complaint;

WHEREAS, the defendants have made a restrictive appearance under Rule E(3) of the Supplemental Rules for Certain Admiralty and Maritime Claims;

WHEREAS the Wire Transfer details reflect a payment by Phoenix Still Mills Ltd. to Space Star;

WHEREAS, Mountiko has agreed to the release of the Wire Transfer;

WHEREAS, defendants have agreed not to contest Mountiko's attachment of the above described funds;

WHEREAS, the parties agree that the release of the subject funds is without fees or costs to any party; and

WHEREAS, the plaintiff otherwise reserves its right to the attachment.

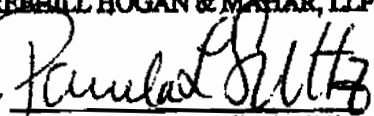
IT IS HEREBY STIPULATED AND AGREED, that <sup>Deutsche</sup> ~~Standard Chartered Bank~~ shall release the Wire Transfer as soon as it receives a copy of this Stipulation and Order.

Dated: October 5, 2007  
New York, New York

Respectfully submitted,

FREEMILL HOGAN & MAHAR, LLP

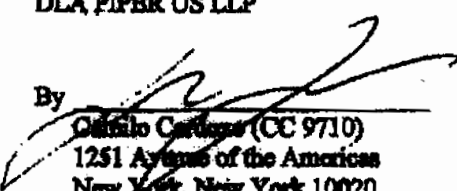
By

  
Don P. Murnane, Jr. (DM 3639)  
Pamela L. Schultz (PS 8675)  
80 Pine Street  
New York, NY 10005  
(212) 425-1900  
(212) 425-1901 (fax)

Attorneys for Plaintiff

DLA PIPER US LLP

By

  
Danilo Carbone (CC 9710)  
1251 Avenue of the Americas  
New York, New York 10020  
(212) 335-4500  
(212) 335-4001 (fax)

Attorneys for Defendants

SO ORDERED:

  
The Honorable Leonard B. Sand

10/16/07